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volume 18 provides an analytical overview of both. Like the others in the same series, these volumes are structured round questionnaires. Reporters from a variety of European jurisdictions (including Russia, but excluding Scotland) present responses to a standard set of questions, some of which adroitly bring out the distinctiveness of the different systems, and others of which have rather less meaning for some reporters (for example, the question whether children may be liable “in equity” is answered in detail by the German and Portuguese reporters but draws little by way of a response on English law). A comparative summary is provided in both books by their editor (Miquel Martín-Casals of Girona).

Volume 17 reveals surprising diversity within Europe with regard to the liability of children as tortfeasors and of their parents and guardians. For example, there is no minimum age for tortious capacity in England, but a Russian or Dutch child cannot be held liable before the age of 14; French parents are subject to strict liability for the delicts of their children even when they are in the charge of another adult, but Spanish parents are not responsible for their offspring when they have been entrusted to the care of a school or employer. The comparative report which concludes this volume provides a useful summary of the mass of information contained in the national reports, although it offers little analysis as to why such differences should persist.

Volume 18 uses the same team and format to tackle the problems of children as victims of tort. In doing so it touches issues of major topical importance, including the circumstances in which public authorities may be liable to children whom they have failed to protect from harm, claims in respect of “wrongful life”, and the standard of care demanded of children in the context of contributory negligence. Again the comparative report offers only a brief overview of the national reports, but this volume also contains Wagner’s “Final Conclusions: Policy Issues and Tentative Answers” assessing “what the upshot of our comparative endeavours was”. It measures the findings of the group against the policy choices made by the *Principles of European Tort Law* and *The Study Group on a European Civil Code*, as well as against the French rules (which are the most far-reaching in Europe in the way that they channel claims towards parents and their insurers). However, these tentative conclusions hardly break new ground. They suggest that liability of parents and third parties for children tortfeasors should be fault-based, that there is an insufficient case for compulsory insurance, and that personal liability for children should be retained, with no specific minimum age. The overview presented of the second volume is that there is no clear support for according children special status when they are the victims of tort.

In summary, these volumes do not offer significant comparative insight as to why European systems should differ so markedly or as to whether harmonisation of liability rules is a realisable or a desirable goal. However, they do fill a gap by providing detailed information on an area often overlooked by the existing literature of European tort law.

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**THE YEARBOOK OF EUROPEAN ENVIRONMENTAL LAW, VOLUME 7. Ed by
Thijs Etty and Han Somsen**

Oxford: Oxford University Press (www.oup.com), 2007. lx + 571 pp. ISBN 9780199202751.
£135.

Few would contest the importance of the European Union in the field of environmental regulation and policy. The regulations and directives adopted at the European level have had

a profound impact upon environmental protection throughout Europe. In addition, the EU is playing an ever-increasing role in the development of environmental law and policy at the international level. It exercises a powerful voice in international negotiations on climate change, conservation of biodiversity and so on. Its influence in this sphere is only likely to increase as the EU itself expands. The *Yearbook of European Environmental Law* was launched in 2000 with the aim of providing topical analyses of contemporary European environmental law by leading academics and practitioners. It covers all areas of environmental law and policy at the national, regional and international level.

The contents of the latest volume demonstrate the breadth of the topics covered by the *Yearbook*. Several chapters address international environmental law. Svitlana Kravchenko's contribution analyses the compliance mechanism adopted by the Conference of the Parties to the Aarhus Convention in October 2002, making comparisons with compliance mechanisms under other multilateral environmental agreements. Kravchenko notes the innovatory nature of the compliance mechanism established under the Aarhus Convention both in terms of its structure and its procedure. The chapter also analyses the first cases to be taken to the Aarhus Compliance Committee, all of which involve countries in Eastern Europe, Central Asia and the Caucasus. In another chapter, Winkler Zwier considers the application of the Aarhus Convention to export credit agencies within the EU. Zwier argues that the Convention may provide a tool to improve the environmental performance of export credit agencies by promoting increased public participation and transparency in their decision-making procedures. It is clear from these chapters that the Aarhus Convention, which entered into force in October 2001, has the potential to transform environmental law across the sphere of its application. The United Kingdom only became a party in February 2005 but it may not be long before the consequences of this instrument begin to appear.

Questions of international environmental law are also addressed by Roda Verheyen in a chapter on the implications of article 2 of the UN Framework Convention for the on-going international climate change negotiations. Verheyen asserts that article 2 cannot be dismissed as aspirational; rather it sets out a duty on all parties to the Convention to prevent dangerous climate change. Verheyen also addresses the particular role of the EU in negotiating a new climate change regime, raising interesting questions about its participation in the regime and the division of competence between the EU and its Member States.

Other chapters focus more closely on the European dimension of environmental law. Joanna Krzeminska considers the compatibility between support schemes for renewable energy schemes and European competition rules, using case studies from Germany and Poland. Nicolas de Sadeleer analyses the contribution of the Birds, Habitats and Liability Directives to the protection of biological diversity in the EU. Benjamin Richardson addresses ways in which to improve the environmental performance of the financial sector in Europe. Finally, Carl Dalhammer assesses product and lifecycle issues in current European environmental law. What many of these articles emphasise is that European environmental law cannot be considered in isolation from other fields of European law. Environmental law within the EU has developed in the context of economic liberalisation. In this regard, Richardson suggests that reforms in the financial sector have so far pursued market liberalisation and efficiency whilst paying less attention to the potential environmental impact of increased investment and economic development. Thus, huge policy challenges remain in order fully to "green" the European financial sector. Whilst tensions between the goals of economic liberalisation and environmental protection may arise, this is not always the case. In her chapter, Krzeminska argues that temporary but effective assistance to renewable energy schemes, whilst causing short-term distortions in the market, can nevertheless serve both competition policy and environmental protection in the long term.

Alongside the articles and book reviews, the *Yearbook* is notable for its repository of materials on European environmental law and policy. Indeed, it is this aspect that is potentially its most valuable. Each volume contains a survey of substantive European environmental law which covers specific sub-categories of environmental law, namely atmospheric pollution, energy, biotechnology, chemicals, nature conservation, waste, and water. Each summary follows the same format, covering adopted legislation, legislation in progress, case law and enforcement action, and policy documents. These surveys provide clear and concise snapshots of a particular area. They again demonstrate the breadth of the *Yearbook*, as they contain information on significant developments at the international level and on the contribution that the EU has made to international environmental cooperation. In addition, there is a survey of horizontal instruments and miscellaneous issues as well as a review of case law of the European Court of Justice.

Another significant element of the *Yearbook* is the summaries of communications, green papers, white papers and other reports of the European Commission on environmental topics. Again, this section provides a valuable overview of European environmental activities in the period covered, although much of the material is also included in the sectoral summaries already mentioned. The annual review, however, also offers an opportunity to comment on the practice of the European institutions in promoting environmental policy and to draw conclusions thereon. In this regard, volume seven contains a damning analysis of Commission practice on the publication of environmental information which the editor argues (at 539) “fragantly contradicts [the] principles of transparency, openness, and good governance” found in the Treaty on the European Union.

These summaries and surveys make up more than half of the *Yearbook* and they offer a concise but instructive overview of the major developments in European environmental law. The delay in publication is, however, disappointing. Volume seven reports on developments between 1 January and 31 December 2005 but was not published until October 2007. This is a regrettable aspect of an otherwise useful publication.

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Mark Poustie, THE LAWS OF SCOTLAND, STAIR MEMORIAL ENCYCLOPAEDIA, REISSUE – ENVIRONMENT

Edinburgh: Law Society of Scotland / LexisNexis Butterworths (www.lexisnexis.co.uk), 2007. 934 pp. ISBN 9780406982834.

The focus of this title, as the author states, lies in those legislative regimes “which seek to regulate local environmental problems, industrial pollution, air pollution, waste management, water pollution and resource management more generally, sewerage, marine pollution, noise, radioactive substances and other hazardous or potentially hazardous substances . . . and nature conservation”. Alongside these there is coverage of a range of ancillary, but no less important, areas of public law, especially those – such as access to information and other participatory rights – which underpin environmental law. Its place in the *Stair Memorial Encyclopaedia*, of course, means that certain other topics which are generally regarded as forming a part of what might be termed the extended core of environmental law – in particular, laws relating to environmental assessment and to development planning and control, but also the role that